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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/550,160	09/20/2005	Yong Tac Park	2017-027	5325				
52706 IPLA P.A. 3580 WILSHIRE BLVD. 17TH FLOOR LOS ANGELES, CA 90010	7590 09/04/2007		<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">VERDIER, CHRISTOPHER M</td></tr></table>		EXAMINER		VERDIER, CHRISTOPHER M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,160

Applicant(s)

PARK, YONG TAE

Examiner

Christopher Verdier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9-20-05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It incorrectly lists the filing date of PCT/KR2005/000127 as 01/14/2004, which should be 01/14/2005. It incorrectly lists the application number of the Korean priority application as "10-2004-0001015", which should be 20-2004-0001015. It incorrectly lists the filing date of the Korean priority application as 01/14/2003, which should be 01/14/2004.

Drawings

The drawings are objected to under 37 CFR 1.84(h)(2), because the enlarged view in figure 1 must be shown as a separate figure. The drawings are objected to because figures 4A and 4B are blackened and blurred. The drawings are objected to under 37 CFR 1.84(u)(1) because figures 4A and 4B are not each preceded by an Arabic numeral (i.e. FIG. 4A and FIG 4B).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

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drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

The abstract of the disclosure is objected to because it contains the phrase "the present invention" (line 1) which is implied and should be deleted, because it contains the legal term "said" (line 2) which should be deleted, and because it is non-idiomatic, appearing to be a literal translation of the abstract of the priority application. Correction is required. See MPEP § 608.01(b).

The specification is objected to because it is replete with grammatical errors too numerous to mention in all instances. The following are several examples of defects. The specification should be carefully proofread for additional defects.

On page 1, line 1, "Description" is superfluous and should be deleted.

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In paragraph 1, line 3, "comprise of a" should be changed to -- comprises a --.

In paragraph 1, line 5, "of" should be deleted.

In paragraph 1, line 5, "handle" should be changed to -- handles --.

In paragraph 8, line 1, "The present invention" is unclear if this intends to refer to the present inventor, or not.

Paragraph 15 should end with a period.

The specification, title and abstract use the terms "hat in a fan" and "hat in fan", which are inaccurate. The present application is not a hat that is located in a fan, but rather a combination hat and fan.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

The title of the invention is inaccurate. A new title is required that is clearly indicative of the invention to which the claims are directed. A suggested title is -- Combination Hat and Fan -

-.

Claim Objections

Claims 1-3 are objected to because they appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors too numerous to

mention in all instances. The following are several examples of defects. The claims should be carefully reviewed for additional defects. Appropriate correction is required.

In claim 1, line 1, "serve" should be changed to -- serves --.

The claims are replete with reference numerals ("31" in claim 1, line 1, for example) that should be deleted.

In claim 1, line 2, "at on" should be changed to -- on a --.

In claim 1, line 3, "the" should be deleted.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph. The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. The claims fail to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. The following are several examples of indefinite claim language. The claims should be carefully reviewed for additional indefinite claim language. Applicant is not relieved of ensuring that all claims comply with 35 USC 112, second paragraph. In claim 1, line 1, "hat in fan" is inaccurate. The present application is not a hat that is located in a fan, but rather a combination

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hat and fan. In claim 1, line 6, "the supporting plates" lacks antecedent basis. In claim 1, line 8, "plate" is inaccurate and should be changed to -- plates --. In claim 1, line 9, "plate" is inaccurate and should be changed to -- plates --. In claim 2, line 3, "the present invention" is objectionable and should be changed to -- the combination hat and fan --.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

French Patent 835,668 is cited to show a hand fan wearable on a person's head.

French Patent 1,238,201 and Klie are cited to show hand fans with flexible handles.

Yang is cited to show a hand fan with pivoting handles.

Wagenfeld, Caroleo, Linday, and Crewe are cited to show various hats/visors with bands.

Ahsley is cited to show a visor with an auxiliary band.

Allowable Subject Matter

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2-3 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

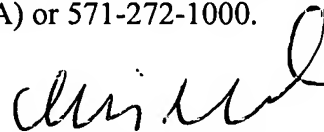
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.V.
August 27, 2007



Christopher Verdier
Primary Examiner
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